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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 UNITED STATES OF AMERICA,)
10 Plaintiff,) 3:13-CR-00016-LRH-WGC
11 v.) ORDER
12 TERRY DALE JONES, JR.,)
13 Defendant.)
14 _____)

15 Before the Court is Defendant Terry Dale Jones, Jr.'s ("Jones") Motion to Inspect and
16 Produce Personnel Files of Federal Law Enforcement Officers (Doc. #24¹), Motion for Notice of
17 Intent to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) (Doc. #25), and Motion
18 Pursuant to the Nevada Jury Selection Plan to Use the Elko Division Master Jury Wheel for Jury
19 Selection (Doc. #26). The United States ("the Government") filed Responses to each of the
20 aforementioned Motions in which it stated its non-opposition to Jones' requests. Docs. #27, #28,
21 #29.

22 As to Jones' Motion to Inspect and Produce Personnel Files of Federal Law Enforcement
23 Officers (Doc. #24), the Government stated that it intends to comply with its obligations as set forth
24 in *United States v. Henthorn*, 931 F.2d 29 (9th Cir. 1991). Doc. #27, p. 1. Pursuant to *Henthorn*,
25 the Government shall examine the personnel files of any federal law enforcement officer it intends
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¹ Refers to the Court's docket number.

1 to call as a witness at trial to determine whether they contain discoverable impeachment material.
2 931 F.2d at 30-31. If the Government is uncertain about the materiality of certain information in its
3 possession, it shall submit the information to the Court for an in camera inspection and evaluation.
4 *Id.* at 31.


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6 IT IS THEREFORE ORDERED that Jones' Motions (Docs. #24, #25, #26) are GRANTED.
7 IT IS FURTHER ORDERED that the Government shall comply with its obligations to
8 inspect and produce the personnel files of any federal law enforcement officer it intends to call as a
9 witness as set forth herein.

10 IT IS FURTHER ORDERED that the Government shall provide notice of any potential
11 Federal Rule of Evidence 404(b) material thirty (30) days prior to trial.

12 IT IS FURTHER ORDERED that the petit jury in this matter shall be selected exclusively
13 from the Elko Division Master Jury Wheel.

14 IT IS SO ORDERED.

15 DATED this 24th day of January, 2014.

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18 LARRY R. HICKS
19 UNITED STATES DISTRICT JUDGE
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